

(1) a certificate of accreditation issued by the Department of Public Safety under former Section 411.0205, Government Code, is continued in effect as a certificate of accreditation of the Texas Forensic Science Commission; and

(2) an application or proceeding before the Department of Public Safety under former Section 411.0205, Government Code, that is pending on the effective date of this Act is transferred without change in status to the Texas Forensic Science Commission.

SECTION 15. Not later than January 1, 2016, the Texas Forensic Science Commission shall appoint the members of the advisory committee in accordance with Section 4–b, Article 38.01, Code of Criminal Procedure, as added by this Act. In making the appointments, the commission shall designate:

(1) four members to serve terms expiring August 31, 2016; and

(2) five members to serve terms expiring August 31, 2017.

SECTION 16. Not later than January 1, 2017, the Texas Forensic Science Commission shall make recommendations to the legislature regarding suggested changes to the licensing of forensic analysts as established by this Act, including recommendations regarding the issuance of licenses to individuals practicing as forensic analysts on the effective date of this Act.

SECTION 17. (a) Except as provided by Subsection (b) of this section, this Act takes effect September 1, 2015.

(b) Section 4–a(b), Article 38.01, Code of Criminal Procedure, as added by this Act, takes effect January 1, 2019.

Passed the Senate on April 16, 2015: Yeas 30, Nays 1; the Senate concurred in House amendments on May 29, 2015: Yeas 28, Nays 3; passed the House, with amendments, on May 26, 2015: Yeas 74, Nays 72, two present not voting.

Approved June 20, 2015.

Effective September 1, 2015, except as provided by § 17(b).

SETBACK REQUIREMENTS FOR A JUNKYARD OR AN AUTOMOTIVE WRECKING AND SALVAGE YARD; AMENDING PROVISIONS SUBJECT TO A CRIMINAL PENALTY

CHAPTER 1277

S.B. No. 1436

AN ACT

relating to the setback requirements for a junkyard or an automotive wrecking and salvage yard; amending provisions subject to a criminal penalty.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 396.022(a), Transportation Code, is amended to read as follows:

(a) A junkyard or an automotive wrecking and salvage yard may not be located:

- (1) within 50 feet of the right-of-way of a public street or[,] state highway;[,] or
- (2) within 50 feet of the nearest property line of a residence.

SECTION 2. Section 396.022(a), Transportation Code, as amended by this Act, applies only to a junkyard or an automotive wrecking and salvage yard that begins operating on or after the effective date of this Act. A junkyard or an automotive wrecking and salvage yard operating before the effective date of this Act is governed by the law applicable immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2015.

Passed the Senate on May 4, 2015: Yeas 20, Nays 11; the Senate concurred in House amendment on May 28, 2015: Yeas 24, Nays 7; passed the House, with amendment, on May 23, 2015: Yeas 96, Nays 42, one present not voting.

Approved June 20, 2015.

Effective September 1, 2015.

**EMERGENCY RESPONSE EMPLOYEES OR VOLUNTEERS
AND OTHERS EXPOSED OR POTENTIALLY EXPOSED TO
CERTAIN DISEASES OR PARASITES AND TO VISA WAIVERS
FOR CERTAIN PHYSICIANS**

CHAPTER 1278

S.B. No. 1574

AN ACT

relating to emergency response employees or volunteers and others exposed or potentially exposed to certain diseases or parasites and to visa waivers for certain physicians.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Article 18.22(a), Code of Criminal Procedure, is amended to read as follows:

(a) A person who is arrested for a misdemeanor or felony and who during the commission of that offense or an arrest following the commission of that offense causes an emergency response employee or volunteer, as defined by Section 81.003, Health and Safety Code, ~~[a peace officer]~~ to come into contact with the person's bodily fluids shall, at the direction of the court having jurisdiction over the arrested person, undergo a medical procedure or test designed to show or help show whether the person has a communicable disease. The court may direct the person to undergo the procedure or test on its own motion or on the request of the emergency response employee or volunteer ~~[peace officer]~~. If the person refuses to submit voluntarily to the procedure or test, the court shall require the person to submit to the procedure or test. Notwithstanding any other law, the person performing the procedure or test shall make the test results available to the local health authority and the designated infection control officer of the entity that employs or uses the services of the affected emergency response employee or volunteer, and the local health authority or the designated infection control officer of the affected employee or volunteer shall notify the emergency response employee or volunteer ~~[peace officer]~~ of the test result. The state may not use the fact that a medical procedure or test was performed on a person under this article, or use the results of the procedure or test, in any criminal proceeding arising out of the alleged offense.

SECTION 2. Section 607.102, Government Code, is amended to read as follows:

Sec. 607.102. NOTIFICATION. An ~~[A firefighter or]~~ emergency response employee or volunteer, as defined by Section 81.003, Health and Safety Code, ~~[medical technician]~~ who is exposed to methicillin-resistant Staphylococcus aureus or a disease caused by a select agent or toxin identified or listed under 42 C.F.R. Section 73.3 is entitled to receive notification of the exposure in the manner prescribed by Section 81.048, Health and Safety Code.

SECTION 3. Section 12.0127, Health and Safety Code, is amended by adding Subsection (c) to read as follows:

(c) To the extent allowed by federal law, the department shall provide an equal opportunity to request a waiver of the foreign country residence requirement for an individual described by Subsection (a) who agrees to practice medicine in:

(1) an area that the department determines is affected by an ongoing exposure to a disease that is designated as reportable under Section 81.048;